

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

DEC 08 2006

JOHN E. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

RETHA PLAGEMAN,

) CASE NO. 3:04CV00034

Plaintiff

)

v.

) REPORT AND RECOMMENDATION

JO ANNE B. BARNHART

) By: B. Waugh Crigler

Commissioner of Social Security,

U. S. Magistrate Judge

Defendant

)

The Commissioner having advised the court that she has no objection to an award of attorney fees to Bruce K. Billman, Esq. in the amount of Eight Thousand Four Hundred Sixty-Eight and 75/100 Dollars (\$8,468.75) under § 206(b) of the Social Security Act, 42 U.S.C. § 406(b). Therefore, it is hereby

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, Bruce K. Billman, Esq. the sum of Eight Thousand Four Hundred Sixty-Eight and 75/100 Dollars (\$8,465.75) under § 206(b) of the Social Security Act, 42 U.S.C. § 406(b) to be paid first out of the fees being withheld from plaintiff's past-due benefits.

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they

are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:


Judge

Dec 8, 2006
Date